



FARMERS
BRANCH

ORDINANCE NO. 3064

5-3-88
1641 Keenan Bridge
Amended ord# 2910

ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, BY AMENDING ORDINANCE NO. 2910 GRANTING A SPECIFIC USE PERMIT TO ALLOW FOR AN OUTDOOR COMMERCIAL AMUSEMENT, INCLUDING VARIANCES DESCRIBED THEREIN, ON PROPERTY LOCATED IN PLANNED DEVELOPMENT DISTRICT NO. 77 (PD-77), BY ADDING TO THE SCOPE OF SAID SPECIFIC USE PERMIT PROPERTY DESCRIBED AS LOT 1, BLOCK 1, GREGORY ADDITION, CITY OF FARMERS BRANCH, TEXAS; PROVIDING FOR THE APPROVAL OF THE SITE PLAN ATTACHED AS EXHIBIT "A" FOR SAID ADDITIONAL PROPERTY; PROVIDING ADDITIONAL SPECIAL CONDITIONS; PROVIDING FOR A VARIANCE RELATING TO MINIMUM PAVING SETBACK ON SAID ADDITIONAL PROPERTY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, the governing body, in the exercise of the legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. The Comprehensive Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, be, and the same is hereby amended, so as to grant a change in zoning by amending Ordinance No. 2910, granting a Specific Use Permit for Outdoor Commercial Amusement for property zoned Planned Development District No. 77 (PD-77) to include within the scope of said Specific Use Permit the real property described as:

Lot 1, Block 1, Gregory Addition, an Addition to the City of Farmers Branch, according to the map thereof recorded in Volume 87232, Page 1368, Plat Records, Dallas County, Texas;

said property being an approximately 1.628 acre tract of land located generally on Keenan Bridge Road approximately 350 east of Luna Road (hereafter referred to as the "Second Parcel").

SECTION 2. The Second Parcel shall in all respects be subject to the provisions of Ordinance No. 2910 except as may be amended as follows:

- A. The Second Parcel shall be developed and used only in accordance with the Site Plan attached hereto as Exhibit "A," and incorporated herein for all purposes, which Site Plan is hereby approved.
- B. Landscaping shall be installed and planted on the Second Parcel substantially in accordance with the Landscape Plan attached hereto as Exhibit "B" and incorporated herein by for all purposes, which landscaping must be installed not later than twelve (12) months following the effective date of this Ordinance.
- C. Solid waste collection dumpsters located on the Second Parcel shall be located as shown on the Site Plan and screened with a masonry enclosure equipped with solid metal gates for access to the dumpsters, said enclosure to be designed substantially as shown on the Dumpster Detail Sheet attached hereto as Exhibit "C," and incorporated herein by reference.
- D. Prior to the issuance of a Certificate of Occupancy relative to use of the existing metal building (as shown on the Site Plan) for any purpose other than to store property maintenance materials or equipment, the building shall be clad with brick masonry comprising no less than 75% of each exterior wall.
- E. Construction of the public restrooms shown on the Building Floor Plan attached hereto as Exhibit "D," and incorporated herein by reference shall be complete and ready for public use not later than March 1, 2010.
- F. The minimum paving setback along the south right-of-way line of the Second Parcel adjacent to Keenan Bridge Road shall be reduced to ten feet (10.0') from the street right-of-way line.

SECTION 3. The above described property shall be used only in the manner and for the purposes provided by the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended and as amended herein.

SECTION 4. All provisions of the ordinances of the City of Farmers Branch in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not

affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 8. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such case provide.

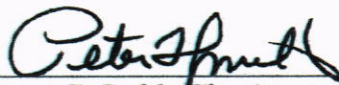
DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS THE 20th DAY OF OCTOBER, 2009.

APPROVED



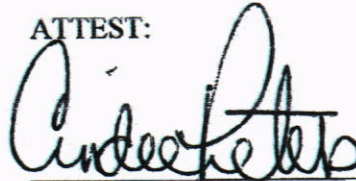
Tim O'Hare, Mayor

APPROVED AS TO FORM:



Peter G. Smith, City Attorney

ATTEST:



Cindee Peters, City Secretary

Exhibit A
Site Plan (Full Site with Second Parcel)

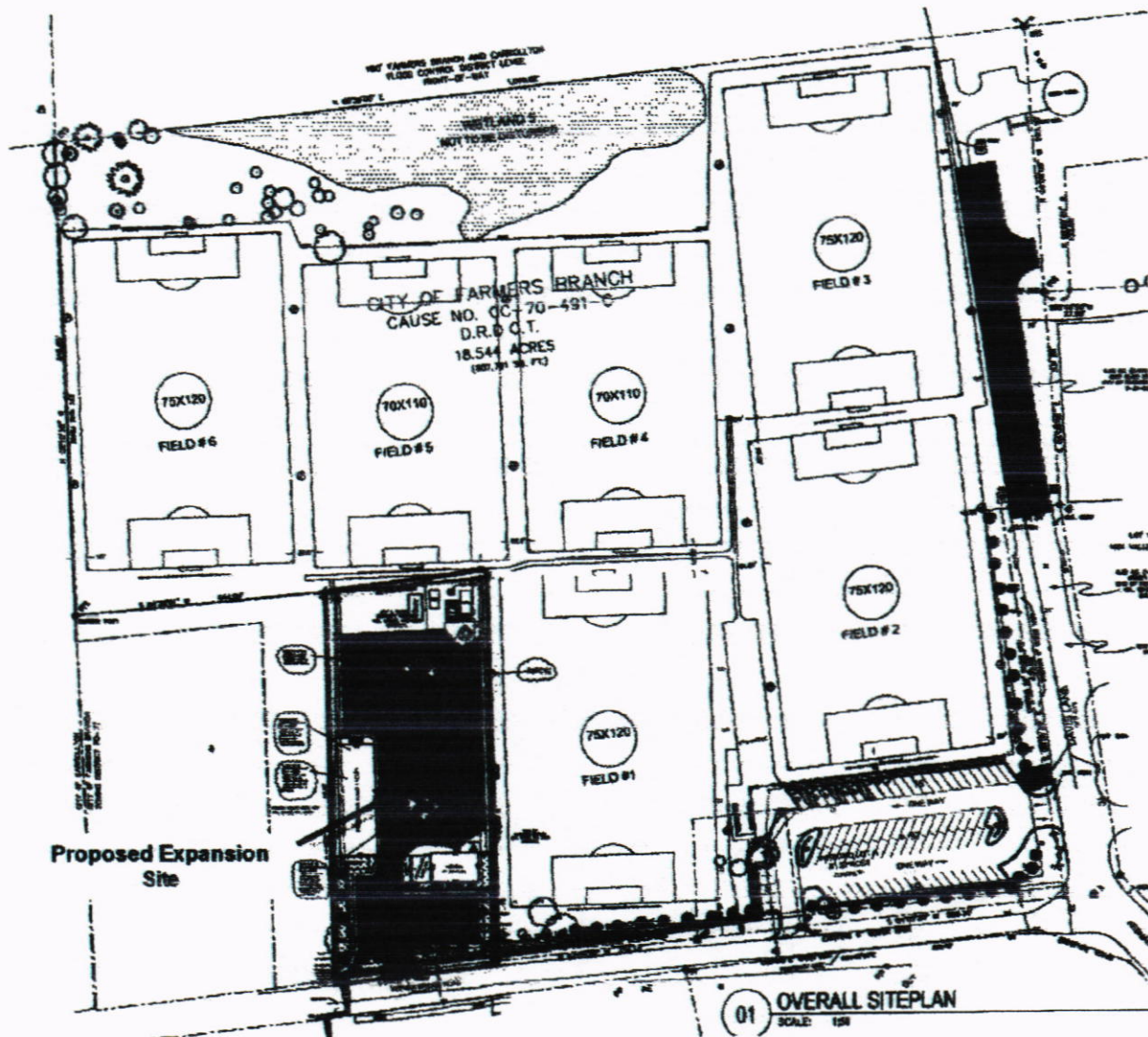


Exhibit A (Con't) **Site Plan (Second Parcel)**

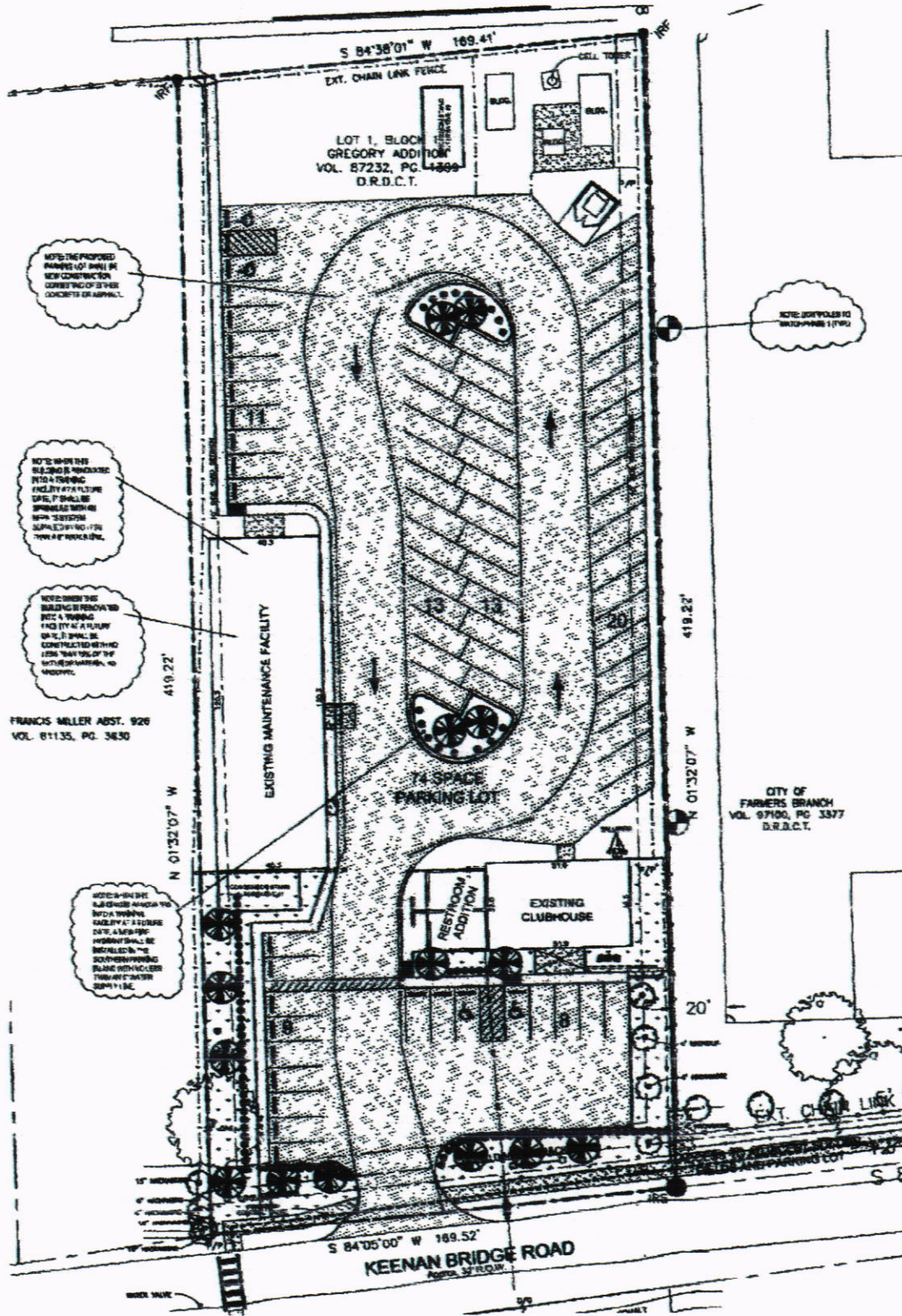
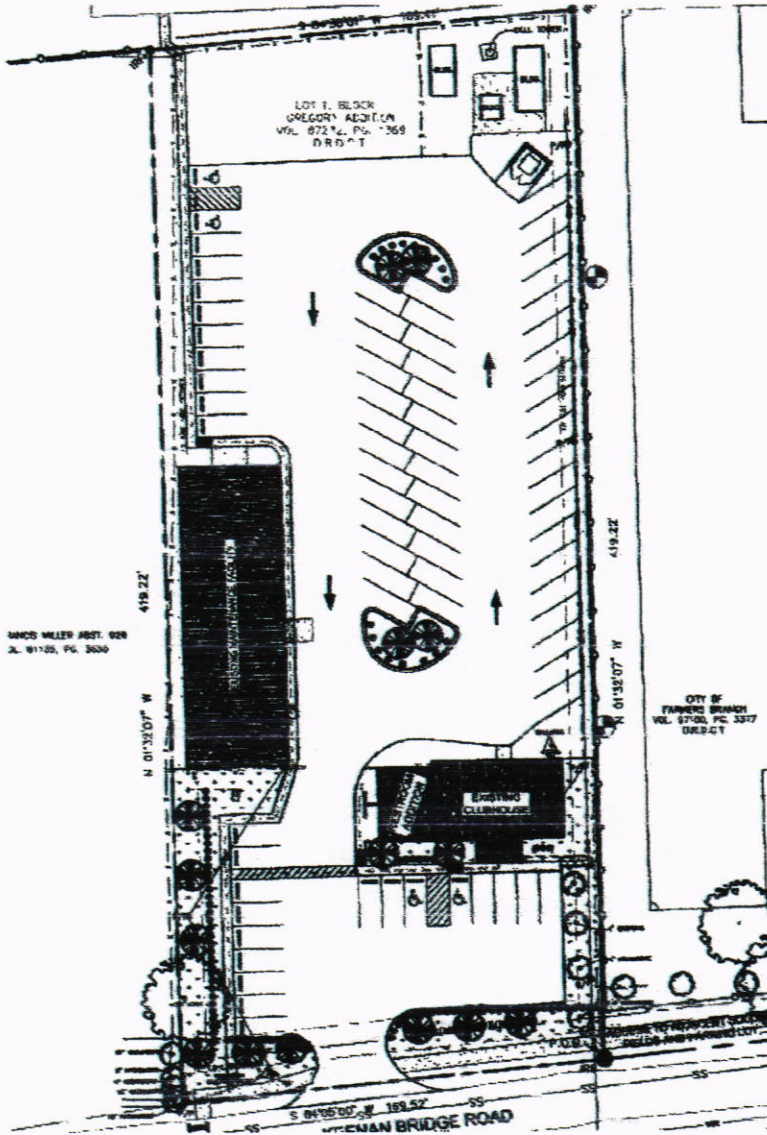
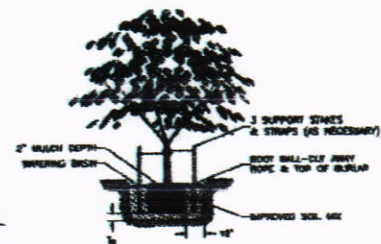


Exhibit "B"
Landscape Plan



LANDSCAPE SUMMARY

TOTAL SITE	70,500 SQ. FT.
LANDSCAPE AREA % OF NET SITE	5,425 SQ. FT. 11%



TREE PLANTING DETAIL

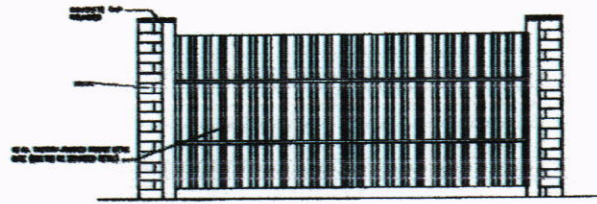
LANDSCAPE TABLE
① EXISTING TREE

PROPOSED					
	NUMBER	HEIGHT	SPACING	NAME	SPECIES
●	15	5'	25'	LYNOKA	QUERCUS FUSIFORMIS
●	100	2'	3'	TEXAS SAGE	LEUCOPHYLLUM FRUTICOSUM
■	8425	50 FT		HYBRID BERBERIS	CYNODON DACTYLON

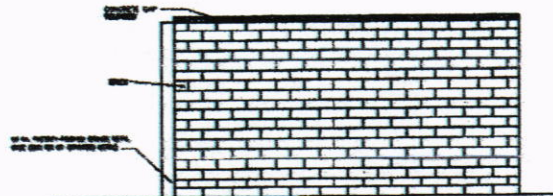
1. PROPOSED TREES SHALL BE TWO INCH DIAMETER MEASURED AT A HEIGHT OF FIVE FEET ABOVE GROUND AT A MINIMUM SPACING OF 25' OF STREET FRONTAGE.
2. APPROVAL OF IRRIGATION PLAN IS REQUIRED PRIOR TO ISSUANCE OF A BUILDING PERMIT.
3. ALL LANDSCAPE AND TURF AREAS MUST BE IRRIGATED BY AN AUTOMATED SYSTEM.

Exhibit "C"

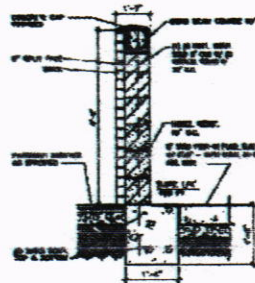
Dumpster Detail Sheet



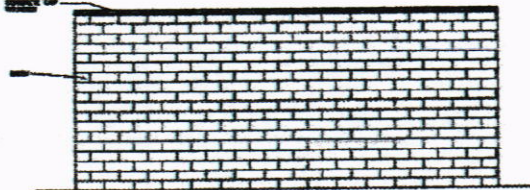
E DUMPSTER FRONT ELEVATION



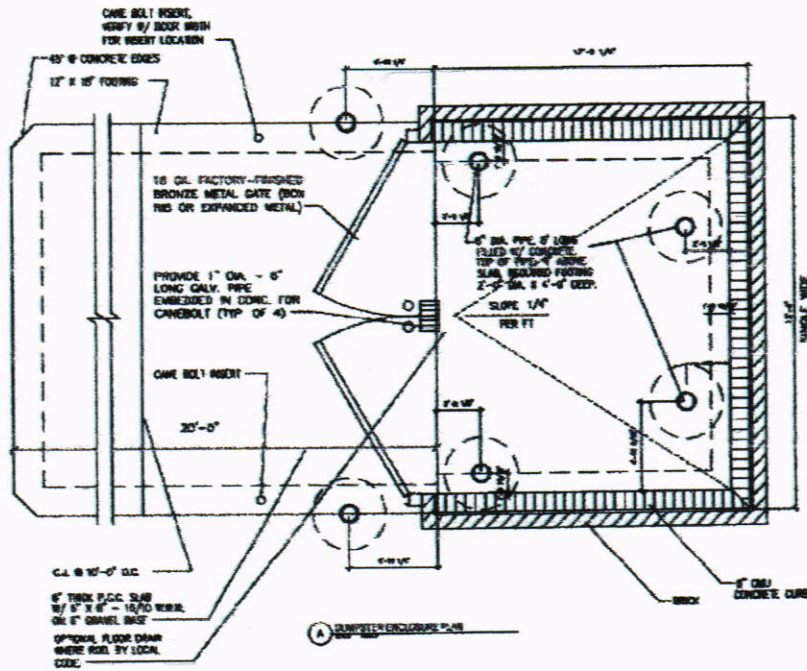
D DUMPSTER SIDE ELEVATION



C DUMPSTER CROSS SECTION



C DUMPSTER REAR ELEVATION



01 FLOORPLAN SCALE: 1/4" = 1'-0"